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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA**

In re:

USDC Case No.: 17-cv-01975-JCM  
Appeal Ref. No. 17-27

LAKE AT LAS VEGAS JOINT VENTURE, LLC; LLV-1, LLC; LLV HOLDCO, LLC; LAKE LAS VEGAS PROPERTIES, LLC; LLV FOUR CORNERS, LLC; NORTHSHERE GOLF CLUB LLC; P-3 AT MONTELAGO VILLAGE LLC; THE GOLF CLUB AT LAKE LAS VEGAS LLC; MARINA INVESTORS LLC; THE VINEYARD AT LAKE LAS VEGAS LLC; LLVVHI LLC; TCH DEVELOPMENT LLC; TC TECHNOLOGIES LLC; SOUTHSHERE GOLF CLUB LLC NEVA HOLDINGS LLC

Appeal from Case No. BK-S-08-17814-MKN  
BK 08-17815 MKN    BK 08-17832 MKN  
BK 08-17817 MKN    BK 08-17835 MKN  
BK 08-17820 MKN    BK 08-17837 MKN  
BK 08-17822 MKN    BK 08-17841 MKN  
BK 08-17825 MKN    BK 08-17842 MKN  
BK 08-17827 MKN    BK 08-17844 MKN  
BK 08-17830 MKN    BK 08-17845 MKN

## **Joint Administration**

## **Jointly Administered Reorganized Debtors.**

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CREDIT SUISSE

**Appellant.**

V

LARRY LATTIG, CREDITOR TRUSTEE OF  
THE LLV CREDITOR TRUST, ET AL.

### Appellees.

**STIPULATION AND ORDER TO  
EXTEND BRIEFING SCHEDULE TO  
FACILITATE MEDIATION AND  
CORRECT PARTIES TO THE APPEAL**

Credit Suisse, by and through its undersigned counsel, Elizabeth W. Walker of the law firm

1 Sidley Austin LLP and William M. Noall of the law firm Garman Turner Gordon LLP, Larry  
2 Lattig, as Creditor Trustee (the “Creditor Trustee”) of the LLV Creditor Trust, by and through his  
3 attorneys, Robert M. Charles, Jr. of the law firm Lewis Roca Rothgerber Christie LLP and Gary  
4 Cruciani, Jr. of the law firm McKool Smith, P.C., and Highland Floating Rate Opportunities Fund  
5 and NexPoint Credit Strategies Fund (together, the “Highland Entities” and, collectively with the  
6 Creditor Trustee, the “Appellees”) by and through their attorneys, Jacob S. Frumkin and Michael  
7 D. Warner of the law firm Cole Schotz P.C. and Samuel A. Schwartz of the law firm Schwartz  
8 Flansburg PLLC (collectively, the “Parties”), stipulate and agree as follows:

## RECITALS

10           a. On December 12, 2017, this Court issued a Minute Order [ECF No. 27] (the  
11 “Minute Order”) setting the deadlines for Appellant to file and serve an opening brief, for  
12 Appellee(s) to file and serve an answering brief, and for Appellant to file and serve a reply brief.  
13 The deadlines set in the Minute Order are December 26, 2017, January 9, 2018, and January 23,  
14 2018, respectively.

15        b. During the past month or so, the Parties have met and conferred and determined to  
16        globally mediate all of the disputes involved in what is referred to by both the Parties and the  
17        United States Bankruptcy Court for the District of Nevada as the “Indemnification Dispute,” which  
18        includes this appeal. Resolution of the Indemnification Dispute would pave the way to close all  
19        the above-referenced bankruptcy cases, which have been pending since 2008.

20           c.       The Parties agreed on a mediator and the Honorable Gregg W. Zive has confirmed  
21 he will conduct a mediation between the Parties to resolve the Indemnification Dispute in late  
22 January 2018.

23           d. The Parties do not wish to expend further resources on this appeal at this time, as  
24 significant work will be required to prepare for mediation, including compiling time and cost  
25 summaries constituting the amounts sought in connection with the Claymore litigation, and review  
26 of same, further settlement negotiations and preparation of mediation statements and for  
27 mediation.

e. In view of the foregoing and consistent with Bankruptcy Rule 8009, made

1 applicable to this appeal pursuant to LR 8018, the Parties have further met and conferred regarding  
2 an extension of the current briefing schedule.

3 f. Additionally, the Parties have realized that Claymore Holdings, LLC was  
4 mistakenly included as a party interested in this appeal as well as the Indemnification Dispute  
5 before the Bankruptcy Court and desire to correct the record in this regard.

6 **STIPULATION**

7 Based upon the above Recitals and subject to the entry of an order by this Court approving  
8 this Stipulation, the Parties agree that:

- 9 1. The Appellant shall have until March 2, 2018, to file and serve an opening brief.  
10 2. The Appellees shall have until April 6, 2018, to file and serve an answering brief.  
11 3. The Appellant shall have until April 20, 2018, to file and serve a final reply brief.  
12 4. Claymore Holdings, LLC was mistakenly included as a party interested in this  
13 appeal (as well as the remainder of the Indemnification Dispute before the  
14 Bankruptcy Court) and shall not be deemed to be a party to this appeal.

15 Dated: December 21, 2017.

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**IT IS SO ORDERED:**

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30 **UNITED STATES DISTRICT JUDGE**  
31 **DATED:** December 29, 2017